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Attorneys for Defendant

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

ERNEST C. WHEELER,

No. C 08-01738 SBA

Plaintiff,

V.

JANET NAPOLITANO, Secretary,
Department of Homeland Security, Federal
Emergency Management Agency

Defendant.

THE PARTIES, BY AND THROUGH THEIR ATTORNEYS OF RECORD, HEREBY
SUBMIT THE FOLLOWING STIPULATION:

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), plaintiff ERNEST WHEELER and defendant JANET NAPOLITANO,¹ Secretary, Department of Homeland Security, Federal Emergency Management Agency, hereby stipulate to dismiss with prejudice

¹ Janet Napolitano is substituted for her predecessor Michael Chertoff as the defendant in this case.

1 the above-captioned action, including all claims that were or could have been asserted therein.

2 Each party will bear its own costs and attorneys fees.

3 Respectfully submitted,

5 DATED:

6 THOMAS G. DEL BECCARO
7 ***DEL BECCARO, HORNSBY & BLAKE***
8 Attorney for Plaintiff

9 JOSEPH P. RUSSONIELLO
10 United States Attorney

11 DATED:

12 NEILL T. TSENG
13 Assistant United States Attorney
14 Attorneys for Defendant

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

17 DATED: 2/25/10

16 
18 HONORABLE SAUNDRA B. ARMSTRONG
19 UNITED STATES DISTRICT JUDGE